



MINUTES

CITY COUNCIL MEETING

FEBRUARY 8, 2005

A regular meeting of the City Council of the City of Rolling Hills Estates was called to order at 7:30 p.m. in the City Council Chambers, 4045 Palos Verdes Drive North, by MAYOR ADDLEMAN.

PLEDGE OF ALLEGIANCE

MAYOR ADDLEMAN led the assembly in the Pledge of Allegiance to the Flag.

ROLL CALL

City Council Members Present: Addleman, Mitchell, Seamans, Zerunyan, Zuckerman

City Staff Present: City Manager Doug Prichard
Assistant City Attorney Stephen Pfahler
Assistant City Manager Sam Wise
Planning Director David Wahba
Community Services Director Andy Clark
Interim Finance Director Mike Whitehead
Administrative Analyst Greg Grammer

Others Present: Dan O'Day, Planning Commission

CEREMONIAL ITEMS

NONE

ROUTINE MATTERS

A. CITY COUNCIL MINUTES OF JANUARY 25, 2005

COUNCILWOMAN MITCHELL requested a correction on Page 3, Paragraph 1:

"THERE BEING NO OBJECTION, MAYOR MITCHELL ADDLEMAN SO ORDERED."

MAYOR PRO TEM ZUCKERMAN moved, seconded by COUNCILWOMAN SEAMANS
TO APPROVE THE CITY COUNCIL MINUTES OF JANUARY 25, 2005 AS AMENDED.

THERE BEING NO OBJECTION, MAYOR ADDLEMAN SO ORDERED.

B. DEMANDS AND WARRANTS – JANUARY AND FEBRUARY

COUNCILWOMAN SEAMANS moved, seconded by MAYOR PRO TEM ZUCKERMAN

TO APPROVE WARRANTS 36920 THROUGH 36971 IN THE AMOUNT OF \$79,616.99; SUPPLEMENTAL WARRANTS 011005 THROUGH 012405; 36735 THROUGH 36738; 36790 THROUGH 36797; 36798 THROUGH 36850 VOID; 36851 THROUGH 36859; 36910 THROUGH 36913 IN THE AMOUNT OF \$205,457.06 FOR A GRAND TOTAL AMOUNT OF \$285,074.05 WITH PROPER audit.

AYES: Addleman, Mitchell, Seamans, Zerunyan, Zuckerman

CONSENT CALENDAR

COUNCILWOMAN SEAMANS moved, seconded by COUNCILWOMAN MITCHELL

TO APPROVE ITEMS A-C.

A. READING OF ORDINANCES AND RESOLUTIONS

Reading in full of all ordinances and resolutions presented for consideration to the City Council will be waived and all such ordinances and resolutions will be read by title only.

B. LEAGUE OF CALIFORNIA CITIES PRIORITY FOCUS DATED JANUARY 21, 2005

RECEIVED AND FILED.

C. LEAGUE OF CALIFORNIA CITIES PRIORITY FOCUS DATED JANUARY 28, 2005

RECEIVED AND FILED.

THERE BEING NO OBJECTION, MAYOR ADDLEMAN SO ORDERED.

AUDIENCE ITEMS NOT ON THE AGENDA/WRITTEN AND ORAL COMMUNICATIONS

NONE

NEW BUSINESS

A. PARK AND ACTIVITIES COMMISSION MINUTES OF FEBRUARY 1, 2005

COUNCILWOMAN MITCHELL moved, seconded by MAYOR PRO TEM ZUCKERMAN

TO RECEIVE AND FILE THE PARK AND ACTIVITIES COMMISSION MINUTES OF FEBRUARY 1, 2005

THERE BEING NO OBJECTION, MAYOR ADDLEMAN SO ORDERED.

1. YMCA REQUEST TO OPERATE SUMMER SWIM PROGRAM

Recommendation: That the City Council approve the YMCA's proposal to take over the leadership of the City's Summer Swim Program at Peninsula High School for a trial period of Summer 2005.

Community Services Director Clark provided a staff report (as per agenda material).

COUNCILWOMAN MITCHELL inquired as to what advantage the City would receive once it relinquishes the pool program. Community Services Clark noted that it is the highest non-resident program in the City serving mostly Rancho Palos Verdes residents. Additionally, it was noted that this program would lower the City's costs in regards to hiring personnel, payroll, and liability insurance.

Discussion ensued regarding this program being experimental for the first year and possibly permanent thereafter. Community Services Director Clark noted that surveys could be sent out to gauge how this program is serving the community.

COUNCILMAN ZERUNYAN inquired if a contract will be submitted to the COUNCIL. Community Services Director Clark noted there would not as the School District would issue a permit since the contract would be between the District and the YMCA. He then inquired into liability insurance where it was noted that since this not a City facility that type of insurance would not come into play.

MAYOR PRO TEM ZUCKERMAN noted that most individuals do not respond to surveys, but believed it to be important to know if the participants are satisfied with this change.

MAYOR PRO TEM ZUCKERMAN then inquired if the pool memberships through the YMCA could be utilized for other activities. Community Services Director Clark noted that there are many programs offered through the San Pedro-Peninsula YMCA.

Brief discussion ensued regarding this particular membership fee and the desire to keep it reasonable.

COUNCILWOMAN MITCHELL noted her concern that if the City does opt out of this program, it may be difficult to take back as the YMCA will have a contract with the School District.

Julie Turner Tissue, YMCA Director, explained that the YMCA will offer more comprehensive programs in addition to swimming. She noted that the YMCA is well-known and will strive to meet the Peninsula's needs. Additionally, she stated she is currently in the process of arranging a similar program at Palos Verdes High School.

MAYOR PRO TEM ZUCKERMAN noted that the YMCA could enter into an agreement with the School District on the condition that the City has first right to negotiate with the School District if it so desires.

Ms. Tissue noted that a one-year trial is requested and that there will be a satisfaction survey as well as an analysis upon completion.

COUNCILWOMAN SEAMANS pointed out that she is a member of the YMCA Board, but does not have a financial interest in this role. She noted that they are interested in promoting more involvement on the Peninsula and welcomed the YMCA as she believed this to be a step in the right direction.

MAYOR PRO TEM ZUCKERMAN moved, seconded by COUNCILWOMAN MITCHELL

TO APPROVE THE YMCA'S PROPOSAL TO TAKE OVER THE LEADERSHIP OF THE CITY'S SUMMER SWIM PROGRAM AT PENINSULA HIGH SCHOOL FOR THE SUMMER OF 2005 AS A TRIAL PERIOD ON THE CONDITION THAT THE CITY HAS FIRST PRIORITY IN RETAINING THE RIGHT TO BRING BACK THIS PROGRAM TO THE CITY IF IT SO DESIRES.

AYES: Addleman, Mitchell, Seamans, Zerunyan, Zuckerman

2. HIGHRIDGE PARK RESTROOM ALTERNATIVES

Recommendation: That the City Council approve the placement of an ADA-compliant portable restroom in Highridge Park for a period of one year at a location to be determined appropriate by staff.

Community Services Director Clark provided a staff report (as per agenda material).

Extensive discussion ensued regarding the appearance of the restroom where it was the preference of the COUNCIL to have an aesthetically pleasing exterior.

COUNCILMAN ZERUNYAN commented that the City is proud of the fact that it provides residents with the most parks per capita for recreational sports and was pleased to note that it is appreciated throughout the community.

MAYOR ADDLEMAN recommended that the rental amount not exceed \$100 per month.

COUNCILWOMAN MITCHELL reiterated that this is temporary and suggested reprioritizing the ADA schedule moving the Highridge Park restroom up the list.

MAYOR PRO TEM ZUCKERMAN moved, seconded by COUNCILWOMAN SEAMANS

TO APPROVE THE PLACEMENT OF AN AESTHETICALLY PLEASING ADA-COMPLIANT PORTABLE RESTROOM IN HIGHRIDGE PARK FOR A PERIOD OF ONE YEAR AT A LOCATION TO BE DEEMED APPROPRIATE BY STAFF NOT TO EXCEED \$100 PER MONTH.

AYES: Addleman, Mitchell, Seamans, Zerunyan, Zuckerman

PUBLIC HEARINGS/MEETINGS

A. SOLID WASTE COLLECTION, PROCESSING AND DISPOSAL

Recommendation: That the City Council: 1) Open the public hearing; 2) Receive any testimony; 3) Continue the public hearing; and 4) Introduce for first reading Ordinance No. 629 amending Sections 5.12, 8.12, 8.20, 8.24, 8.32, 8.36, 8.38, 10.28, 12.24, 15.04, 17.02, 17.07, 17.28, 17.32, 17.36, 17.37, 17.39 and 17.46 of the Rolling Hills Estates Municipal Code relating to solid waste collection.

Administrative Analyst Grammer provided a staff report (as per agenda material).

Extensive discussion ensued regarding various amendments to Sections 8.20.010, 8.20.030, 8.36.030 and 17.07.040.

Discussion ensued regarding the ability of private landscape contractors to dispose of yard waste on their own. City Manager Prichard noted that staff will formulate language providing an exception to such instances.

COUNCILMAN ZERUNYAN noted that, in order for the City to comply with state law, greenwaste must be collected and meet a minimum amount for the City to receive credit.

COUNCILWOMAN MITCHELL commented that greenwaste should be credited to the City for recycling. She noted her concern in the event of a property owner hires a private tree trimmer as their greenwaste may be diverted elsewhere.

COUNCILWOMAN SEAMANS reiterated the need to make sure that those recycle centers document greenwaste coming from the City.

A variety of code sections were discussed in the context of proper wording for the terms describing solid waste.

City Manager Prichard noted that staff will take these amendments and compare them to existing code language, review the intent and make the wording consistent throughout all the sections.

COUNCILMAN ZERUNYAN moved, seconded by MAYOR PRO TEM ZUCKERMAN

TO OPEN THE PUBLIC HEARING.

THERE BEING NO OBJECTION, MAYOR ADDLEMAN SO ORDERED.

Clark Davis, 4 Goldring, commented that his neighborhood preferred twice-a-week pick-up and asked if it would be possible to modify the previously approved contract.

COUNCILWOMAN SEAMANS explained that state law requires the City to comply with a specific amount of recycling. She noted that currently most greenwaste is thrown out with the regular garbage which is unacceptable.

MAYOR PRO TEM ZUCKERMAN recommended residents reschedule their gardeners to coincide with the new pick-up day. He noted that traffic was also a primary concern and that the decision to change haulers was not based on cost alone.

MAYOR PRO TEM ZUCKERMAN inquired if it would be possible to make a change to the contract at a later date if once per week pick-up proved to be problematic. Assistant City Attorney Pfahler noted that the City always has the right to renegotiate a contract.

Discussion continued regarding twice-a-week pick-up where it was noted that the City did receive an alternate price for that service.

COUNCILMAN ZERUNYAN noted that the COUNCIL acted responsibly in wanting to be environmentally friendly as some residents do not separate their greenwaste or recyclables, and therefore, it is up to the City to correct this problem.

COUNCILMAN ZERUNYAN noted that the new hauler stated that there would be fewer truck trips which was attractive to the COUNCIL. He noted his understanding that it will be inconvenient for some residents in the beginning, but asked for patience to make this program work for the betterment of the community.

COUNCILWOMAN MITCHELL moved, seconded by COUNCILWOMAN SEAMANS

TO CONTINUE THE PUBLIC HEARING.

THERE BEING NO OBJECTION, MAYOR ADDLEMAN SO ORDERED.

1. ORDINANCE NO. 629 FOR INTRODUCTION AND FIRST READING

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROLLING HILLS ESTATES, CALIFORNIA, AMENDING SECTIONS 5.12, 8.12, 8.20, 8.24, 8.32, 8.36, 8.38, 10.28, 12.24, 15.04, 17.02, 17.07, 17.28, 17.32, 17.36, 17.37, 17.39, and 17.46 OF THE ROLLING HILLS ESTATES MUNICIPAL CODE, RELATING TO SOLID WASTE.

COUNCILMAN ZERUNYAN moved, seconded by MAYOR ADDLEMAN

TO INTRODUCE ORDINANCE NO. 629 FOR FIRST READING.

City Manager Prichard read Ordinance No. 629 by title only.

THERE BEING NO OBJECTION, MAYOR ADDLEMAN SO ORDERED.

MAYOR ADDLEMAN provided an update on the new solid waste collection and recycling program. He encouraged the homeowners' associations to schedule a meeting with Waste Management prior to the start of the new program.

NEW BUSINESS (Continued)

B. AB 939 CONSULTANT CONTRACT

Recommendation: That the City Council direct staff to enter into an agreement with Charles Abbott Associates (CAA) for services necessary to maintain our compliance with AB 939 requirements.

Administrative Analyst Grammer provided a staff report (as per agenda material).

COUNCILMAN ZERUNYAN inquired if Waste Management can assist in this process to keep the costs

down.

Administrative Analyst Grammer noted that they are required to prepare waste generation reports and will provide information on what is collected. It was noted this report is for the 2004 calendar year.

COUNCILWOMAN SEAMANS moved, seconded by COUNCILWOMAN MITCHELL

TO DIRECT STAFF TO ENTER INTO AN AGREEMENT WITH CHARLES ABBOTT ASSOCIATES (CAA) FOR SERVICES NECESSARY TO MAINTAIN OUR COMPLIANCE WITH AB 939 REQUIREMENTS.

AYES: Addleman, Mitchell, Seamans, Zerunyan, Zuckerman

OLD BUSINESS

A. CALIFORNIA STATE-WIDE COMMUNITIES DEVELOPMENT AUTHORITY MEMBERSHIP (CSCDA)

Recommendation: That the City Council adopt Resolution No. 2066 to become a member of the California State-Wide Communities Development Authority.

Interim Finance Director Whitehead provided a staff report (as per agenda material).

1. RESOLUTION NO. 2066 FOR ADOPTION

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ROLLING HILLS ESTATES APPROVING, AUTHORIZING AND DIRECTING EXECUTION OF AN AMENDED AND RESTATED JOINT EXERCISE OF POWERS AGREEMENT RELATING TO THE CALIFORNIA STATE-WIDE COMMUNITIES DEVELOPMENT AUTHORITY.

MAYOR PRO TEM ZUCKERMAN moved, seconded by COUNCILWOMAN MITCHELL

TO ADOPT RESOLUTION NO. 2066.

City Manager Prichard read Resolution No. 2066 by title only.

AYES: Addleman, Mitchell, Seamans, Zerunyan, Zuckerman

B. VEHICLE LICENSE FEE GAP RECEIVABLES FINANCING PROGRAM

Recommendation: That the City Council authorize participation in the VLF Program and adopt Resolution No. 2067 approving the VLF Receivables Purchase and Sale Agreement.

Interim Finance Director Whitehead provided a staff report (as per agenda material).

1. RESOLUTION NO. 2067 FOR ADOPTION

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ROLLING HILLS ESTATES APPROVING THE FORM OF AND AUTHORIZING THE EXECUTION AND DELIVERY OF A PURCHASE AND SALE AGREEMENT AND RELATED DOCUMENTS WITH RESPECT TO THE SALE OF THE SELLER'S VEHICLE LICENSE FEE RECEIVABLE FROM THE STATE AND DIRECTING AND AUTHORIZING

CERTAIN OTHER ACTIONS IN CONNECTION THEREWITH.

COUNCILWOMAN MITCHELL moved, seconded by COUNCILWOMAN SEAMANS

TO ADOPT RESOLUTION NO. 2067.

City Manager Prichard read Resolution No. 2067 by title only.

AYES: Addleman, Mitchell, Seamans, Zerunyan, Zuckerman

CITY ATTORNEY ITEMS

NONE

CITY COUNCIL/REGIONAL COMMITTEE REPORTS: This item provides the opportunity for Members of the City Council to provide information and reports to other Members of the City Council and/or the public on any issues or activities of currently active Council Committees, ad hoc committees, regional or state-wide governmental associations, special districts and/or joint powers authorities and their various committees on which Members of the City Council might serve or have an interest, which are not otherwise agendaized.

A. UPDATE ON REQUEST FOR QUALIFICATIONS PROCESS

Recommendation: That the City Council endorse the concept of the study, its components, and contractual agreement strategy as described and authorize the Organization Analysis Committee to prepare an agreement and initial scope of service with Management Partners, Inc., for presentation at the next City Council meeting.

MAYOR ADDLEMAN noted that all the applicants were excellent, but Management Partners was the best qualified for this project.

COUNCILWOMAN SEAMANS noted to make sure the organization is functioning the best way it can and update the functions of the management staff to reflect today's work force, i.e. information technology, economic development, etc. She noted that the recommended firm seems to understand what the COUNCIL is interested in accomplishing.

City Manager Prichard stated that this is intended to create a partnership approach. He noted that this firm will provide a master agreement with a specific scope of service and cost for each phase. After each phase, COUNCIL will then decide which direction it wishes to pursue.

City Manager Prichard noted that all reference checks will be made prior to bringing back a contract.

COUNCILWOMAN SEAMANS noted that this is meant to assist in building the organization and enhance the quality of service to the residents.

COUNCILWOMAN MITCHELL moved, seconded by MAYOR PRO TEM ZUCKERMAN

TO AUTHORIZE THE ORGANIZATION ANALYSIS COMMITTEE TO PREPARE AN AGREEMENT AND INITIAL SCOPE OF SERVICE WITH MANAGEMENT PARTNERS, INC., FOR PRESENTATION AT THE NEXT CITY COUNCIL MEETING.

AYES: Addleman, Mitchell, Seamans, Zerunyan, Zuckerman

MAYOR AND COUNCIL ITEMS: This item provides the opportunity for Members of the City Council to request information on currently pending projects and/or issues of public concern, direct that an item be agendaized for future consideration and/or make announcements of interest to the public.

A. COMMITTEE ASSIGNMENT FOR NATURE CENTER SUBCOMMITTEE

MAYOR PRO TEM ZUCKERMAN volunteered to serve on this committee.

At 8:57 p.m., the CITY COUNCIL convened into closed session.

At 9:35 p.m. the COUNCIL reconvened with MAYOR ADDLEMAN, MAYOR PRO TEM ZUCKERMAN, COUNCILWOMAN MITCHELL, COUNCILWOMAN SEAMANS, AND COUNCILMAN ZERUNYAN present.

CLOSED SESSION

A. CONFERENCE WITH REAL PROPERTY NEGOTIATORS (Government Code Section 54956.8)

Property: 550 Deep Valley Drive

City Negotiator: City Manager Prichard
Assistant City Attorney Stephen Pfahler

Negotiating Parties: City and Cousins Marketcenters

Under Negotiation: Consideration of letter of credit pursuant
to property development agreement dated
March 17, 1998

It was consensus of the COUNCIL

TO DIRECT THE CITY ATTORNEY TO COMMUNICATE COUNCIL'S POSITION TO COUSINS.

THERE BEING NO OBJECTION, MAYOR ADDLEMAN SO ORDERED.

ADJOURNMENT IN MEMORY OF DONALD PIZZELLA, CLOSE FRIEND OF COUNCILMAN
ZERUNYAN

At 9:35 p.m., MAYOR ADDLEMAN formally adjourned the City Council to Tuesday, February 22, 2005 at
7:30 p.m.

Submitted by, Approved by,

Hope J. Nolan Douglas R. Prichard
Deputy City Clerk City Clerk